

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**BILL OF INFORMATION FOR WIRE FRAUD**

|                                 |           |                                    |
|---------------------------------|-----------|------------------------------------|
| <b>UNITED STATES OF AMERICA</b> | *         | <b>CRIMINAL NO.</b>                |
| <b>v.</b>                       | *         | <b>SECTION:</b>                    |
| <b>DIANN TALLIEU</b>            | *         | <b>VIOLATION: 18 U.S.C. § 1343</b> |
|                                 | *   *   * |                                    |

The United States Attorney charges that:

**COUNT 1 WIRE FRAUD**

**A. AT ALL TIMES MATERIAL HEREIN:**

1. **DIANN TALLIEU**, defendant herein (hereinafter referred to as **TALLIEU**) was a bookkeeper employed by a local New Orleans merchant (KA) in the Eastern District of Louisiana.

2. KA operated several retail stores in New Orleans, and engaged in interstate commerce with its principal office located in the Eastern District of Louisiana wherein **TALLIEU** was employed from on or about February 1, 1993 to on or about August 1, 2008.

3. As its bookkeeper, **TALLIEU** was responsible for opening the stores' correspondence, including most billing and banking information. She routinely paid the

stores' bills and made deposits into the KA account. **TALLIEU** had the authority to sign checks from a designated checking account with Whitney Bank (hereinafter "special account") in order to pay the company's utility bills and other small invoices when the owners were out of town.

**B. THE SCHEME TO DEFRAUD:**

Beginning at a time unknown, but as early as 2001 and continuing through on or about August 1, 2008, in the Eastern District of Louisiana and elsewhere, the defendant, **TALLIEU**, did falsely and fraudulently devise and intend to devise a scheme and artifice to defraud KA by knowingly and fraudulently depositing approximately \$1,905,949.50 of KA customer checks into the special account for her personal use.

It was part of the scheme and artifice to defraud KA that **TALLIEU** wrote numerous checks from this special account to herself or payable to Cash and deposited these checks into her personal checking account. During the scheme to defraud, **TALLIEU** transferred \$1,327,287.38 from the KA special account to her personal account. **TALLIEU** also falsely and fraudulently made electronic funds payments from the special account to pay her credit cards. These electronic funds payments totaled \$578,662.12.

It was further part of the scheme and artifice to defraud the owners of KA that **TALLIEU** would take customer checks and deposit them into the special account instead of the company's operating account. Once these checks were deposited into the special account, **TALLIEU** would write checks made payable to cash and negotiate them, or write checks to herself and deposit them into her personal account. She would also make electronic funds payments from the special account to her various credit

cards. **TALLIEU** tried to conceal the scheme each month by retrieving the company's monthly bank statements from the U.S. Mail and then destroying or discarding copies of the bank statements and cancelled checks from the special account.

**C. USE OF THE WIRES:**

On or about June 12, 2007, the defendant, **TALLIEU**, for the purpose of executing and attempting to execute the scheme and artifice to defraud, did knowingly and willfully cause to be transmitted in interstate commerce by means of wire communication certain writings, signs, signals, and sounds, that was an electronic funds payment of \$4,896.00 from the Whitney Bank in New Orleans, Louisiana to Wachovia Bank in Winston-Salem, North Carolina for the purpose of making a payment on her credit card account with American Express for which she was not entitled to; all in violation of Title 18, United States Code, Section 1343.

**NOTICE OF FORFEITURE**

1. The allegations contained in Count 1 of this bill of information are hereby re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 1343 and 982(a)(2).

2. As a result of the offense alleged in Count 1, the defendant, **DIANN TALLIEU**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 1343 and 982(a)(2) any and all property, real or personal which constitutes or is derived from proceeds obtained directly or indirectly, as a result of a violation of Title 18, United States Code, Section 1343, including but not limited to:

- a. \$1,905,949.50 in United States Currency and all interest and proceeds traceable thereto.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this notice of forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon exercise of due diligence;
- b. has been transferred or sold or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which can not be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Section 982(a)(2).

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JIM LETTEN  
UNITED STATES ATTORNEY  
Bar Roll No. 8517

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JAN MASELLI MANN  
First Assistant United States Attorney  
Bar Roll No. 9020

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SPIRO LATSIS  
Assistant United States Attorney  
Bar Roll No. 24517

New Orleans, Louisiana  
October , 2009